

United States District Court  
Southern District of Texas  
FILED

AUG 23 2015

## UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

Clerk of Court  
TEXAS

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Rolando RODRIGUEZ-Bautista  
YOB: 1974  
Mexican Citizen

Case Number: m-15-1443m

I, Roy D. Castillo, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about August 21, 2015 in Hidalgo County, in the Southern District of Texas Defendant(s) did, knowingly and intentionally possess with the intent to distribute and import into the United States approximately 11.5 kilograms of methamphetamine, a schedule II controlled substance

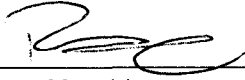
in violation of Title 21 United States Code, Section(s) 841(a)(1) and 952(a).  
I further state that I am a(n) Special Agent And that this complaint is based on the  
Official Title

following facts:

On August 21, 2015, at approximately 8:51 a.m., Rolando RODRIGUEZ-Bautista, a Mexican citizen, made entry into the U.S., from Mexico, through the Pharr, TX, Port of Entry (POE). RODRIGUEZ was the driver and sole occupant of a red Kenworth semi-tractor displaying Mexican license plates 223DT2. Customs & Border Protection Officer (CBPO) M. Cardenas conducted a query of this semi-tractor and noticed it was a frequent crosser and had never been referred for an x-ray inspection. CBPO Cardenas referred the semi-tractor for an x-ray inspection.

CBPO H. Hinojosa conducted an x-ray examination of the semi-tractor and noticed anomalies with the batteries within the battery compartment area of the semi-tractor. CBPO C. Ortega conducted an inspection of the battery compartment area and found it to contain four (4) batteries. CBPO Ortega noticed one of the batteries was very light in weight. A subsequent search of the semi-tractor by Canine Enforcement Officer (CEO) D. Rodriguez and his canine "Betty" (#141336) resulted in Betty alerting to the odor of narcotics emanating from battery compartment area.

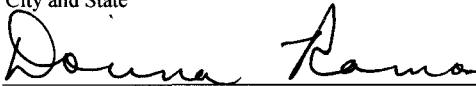
(Continued on Attachment "A")

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No
  
Signature of Complainant
Roy D. Castillo, HSI McAllen  
Printed Name of Complainant

Sworn to before me and signed in my presence,

August 23, 2015  
Date

at

McAllen, Texas  
City and StateU.S. Magistrate Judge Dorina Ramos  
Name and Title of Judicial Officer
  
Signature of Judicial Officer

**Attachment "A"**

Further inspection of the batteries resulted in the discovery of a total of twelve (12) packages containing a white crystalized substance which field-tested positive for methamphetamine. These packages were found within two of the batteries. The total weight of the suspected methamphetamine was approximately 11.5 kilograms.

Homeland Security Investigations (HSI) Special Agent (SA) R. Castillo and CBPO G. Trevino advised RODRIGUEZ of his Miranda Rights. RODRIGUEZ signed a form indicating he understood his rights and he agreed to be interviewed. RODRIGUEZ was asked if he knew why he had been detained. RODRIGUEZ stated he did and then provided the following information;

RODRIGUEZ works as a driver for Transportes Quintero and crosses into the U.S. very frequently. RODRIGUEZ was traveling in a semi-tractor from Reynosa (Tamaulipas, MX) to Pharr to pick up a trailer. While traveling through Reynosa, RODRIGUEZ was forced to pull over to the side of the road by four (4) armed men in a green Ford Explorer. Once he pulled over, RODRIGUEZ was told to exit the vehicle and open the battery compartment of the semi-tractor. RODRIGUEZ did as instructed. RODRIGUEZ was told to remove one of the three batteries from the compartment. He was then told to place two batteries, given to him by the armed men, into the battery compartment. RODRIGUEZ was instructed to travel into the U.S. where he would then be pulled over by someone who would take the batteries from him. The armed men told RODRIGUEZ not to inform anyone of the batteries or they would harm him and his family. RODRIGUEZ traveled to the POE and was followed by the armed men to the Mexican side of the POE. RODRIGUEZ made entry into the U.S. and was subsequently detained.

RODRIGUEZ further stated he's been crossing into the U.S. for many years and has many crossings. RODRIGUEZ also stated, that in the past, he has advised CBP to inspect his load whenever he is suspicious of his cargo. RODRIGUEZ was asked why he didn't advise CBP of the batteries given to him by the armed men. RODRIGUEZ stated because he was scared. RODRIGUEZ was asked what he thought was contained within the batteries. RODRIGUEZ stated (unknown) drugs. RODRIGUEZ stated he was not compensated in any way.

The U.S. Attorney's Office, McAllen, TX, was advised of the circumstances surrounding the seizure of methamphetamine and interview of RODRIGUEZ. Federal prosecution of RODRIGUEZ was accepted and he was arrested and charged with a violation of Title 21, U.S. Code 841(a)(1) and 952(a).